

II. REMARKS

Claims 17-24 and 26-41 are pending in this application. By this Amendment, claims 36 and 39 are amended. Support for the amendments is contained throughout the specification as filed and in the originally filed claims. No new matter is added.

Applicants thank the Examiner for indicating that claims 17-24, 26-35, 37, 38, 40, and 41 are allowed.

Claims 36 and 39 are rejected under 35 U.S.C. § 112, second paragraph, for the asserted indefiniteness. This rejection is traversed.

Applicants respectfully submit that this rejection is overcome by the above amendments to claims 36 and 39, which were made in order to expedite prosecution.

With regards to claim 36 in particular, Applicants note that section a¹) of present claim 36 reads as follows:

a¹) $-(C_3F_6O)_{m'}(CFYO)_{n'}$ -
wherein m' and n' are integers such as to give the above
mentioned molecular weights, and
(i) m'/n' is in the range 5-40; or
(ii) n' can also be 0; and
Y is F or CF₃;

(emphasis added). The Examiner should note that negative numbers are excluded from the meanings of the integers, as present claim 36 discloses that "... m' and n' are integers such as to give the above mentioned molecular weights." In order to have a given molecular weight, the repeating units (C₃F₆O) and (CFYO) of section a¹) of claim 36 must be statistically repeating in the chain for a positive number of times. In fact a repeat of said units for a negative number of times in a perfluoropolyether chain has not any meaning in the field of chemistry. Applicants also note that m' and n' cannot both

be zero, as claim 36 discloses that "m' and n' are integers such as to give the above mentioned molecular weights" and this proviso on the molecular weight would not be satisfied if both m' and n' were zero. Further, Applicants respectfully note that the location of the semicolon marks discloses that the remaining phrases between the semicolon marks are alternatives. Therefore, when "m'/n' is in the range 5-40" in alternative (i), m and n' may only include positive numbers to satisfy the range and still achieve the "above mentioned molecular weights." Meanwhile, in alternative (ii) n' may include positive numbers and zero and still achieve the "above mentioned molecular weights."

Meanwhile, Applicants note that section b') of claim 36 reads as follows:

- b') $-(C_2F_4\dot{O})_p(CFY\dot{O})_q-(C_3F_6O)_t-$
wherein p' and q' are integers such that p'/q' ranges from 5 to 0.3 and such that the molecular weight is within the above mentioned limits; and wherein:
(i) t' is an integer with the meaning of m';
(ii) t' can be 0 and $q'/(q'+p'+t')$ is equal to 1/10 or lower; or
(iii) the t'/p' ratio ranges from 0.2 to 6; and
Y is F or CF₃;

Applicants respectfully submit that, as noted above, a subscript referring to the number of times by which a given unit is repeated in a perfluoropolyether chain must be zero or a positive number, since negative subscripts do not have any meaning in this field of chemistry.

Subscripts p' and q' may only be positive integers to satisfy "p'/q' ranges from 5 to 0.3." Meanwhile, t' may be a positive integer or zero in alternatives (i) and (ii), as m' is defined in section a') as an "integer such as to give the above mentioned molecular

weights.” In contrast, t' cannot be zero when “ t'/p' ratio ranges from 0.2 to 6” in alternative (iii) of section b') of claim 36, as the ratio would not be satisfied.

Applicants respectfully submit that claim 39 is patentable for at least the same reasons as claim 36. In particular, m , n and q are positive integers in present claim 39. M , n , and q may not be negative integers, as negative subscripts do not have any meaning in this field of chemistry. Meanwhile, m , n , and q may not be zero as each of alternatives IB)-IIIB) could not be satisfied. In section IB), m and n would not satisfy the “ m and n are integers, the m/n ratio is 2” if m or n was zero (emphasis added). In section IIB), m must be a positive integer to satisfy “wherein m is an integer, wherein the number average molecular weight is that above mentioned” (emphasis added). Meanwhile, section IIIB) discloses that “ m , n , and q , different from zero, are integers such that the number average molecular weight is that indicated ...” (emphasis added).

Accordingly, Applicants submit that this rejection is overcome by the above remarks and the above amendments to claims 36 and 39, which were made in order to expedite prosecution.

Thus, for at least the above reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 36 and 39 under 35 U.S.C. § 112, second paragraph.

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III. CONCLUSION

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of claims 17-24 and 26-41, and the prompt issuance of a Notice of Allowability are respectfully solicited. If this application is not in condition for allowance, the Examiner is requested to contact the undersigned at the telephone listed below.

In the event that this response is not timely filed, the applicants hereby petition for an appropriate extension of time. The fee for this extension, along with any additional fees that are required with respect to this response, may be charged to Deposit Account No. 01-2300, referencing Attorney Docket No. 108910-00009.

Respectfully submitted,
ARENT FOX PLLC



Amy E.L. Schoenhard
Registration No.: 46,512

Customer No.: **004372**
1050 Connecticut Avenue, N.W. Suite 400
Washington, D.C. 20036-5339
Telephone No.: 202-857-6000
Facsimile No.: 202-857-6395